

By:

Williams

S.B. No.

714

A BILL TO BE ENTITLED

AN ACT

relating to the fees charged for the inspection of boilers; amending Section 11a, Chapter 436, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 5221c, Vernon's Texas Civil Statutes); and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 11a, Chapter 436, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 5221c, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 11a. The fee for a special inspection is One Hundred Twenty-five Dollars (\$125) for four (4) hours or less and One Hundred Seventy-five Dollars (\$175) for a full day, plus travel and per diem based upon the current Appropriations Act. Such fees, [~~such~~] travel, and per diem collected under the provisions of this Section of the Act shall be reappropriated to the credit of the Boiler Inspection Division."

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

By: Williams

S.B. No. 714

(In the Senate - Filed February 27, 1979; February 28, 1979, read first time and referred to Committee on State Affairs; March 15, 1979, reported adversely, with favorable Committee Substitute; March 15, 1979, sent to printer.)

COMMITTEE SUBSTITUTE FOR S.B. NO. 714

By: Ogg

A BILL TO BE ENTITLED

AN ACT

relating to inspection, examination, and certification fees charged under the boiler inspection law; amending Sections 11 and 11a, Chapter 436, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 5521c, Vernon's Texas Civil Statutes).

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 11, Chapter 436, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 5221c, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 11. (a) The Commissioner may ~~[shall]~~ fix and collect fees ~~[as provided by this Section]~~ for the inspection of boilers. ~~[The fees shall be as follows:]~~

"~~[(1)]~~--For all boilers other than heating boilers:

"~~[(A)]~~--Boilers with a heating surface of fifty ~~(50)~~ square feet ~~(4.65 square meter)~~ or less:-----\$15

"~~[(B)]~~--Boilers with a heating surface greater than fifty ~~(50)~~ square feet ~~(4.65 square meter)~~ but not greater than one hundred ~~(100)~~ square feet ~~(9.29 square meter)~~:-----\$25

"~~[(C)]~~--Boiler with a heating surface greater than one hundred ~~(100)~~ square feet ~~(9.29 square meter)~~ but not greater than five hundred ~~(500)~~ square feet ~~(46.45 square meter)~~:-----\$30

"~~[(D)]~~--Boilers with a heating surface greater than five hundred ~~(500)~~ square feet ~~(46.45 square meter)~~ but not greater than one thousand five hundred ~~(1,500)~~ square feet ~~(139.35 square meter)~~:-----\$35

"~~[(E)]~~--Boilers with a heating surface greater than one thousand five hundred ~~(1,500)~~ square feet ~~(139.35 square meter)~~:-----\$40

"~~[(2)]~~--For heating boilers:

"~~[(A)]~~--Boilers without a manhole:-----\$15

"~~[(B)]~~--Boilers with a manhole:-----\$25]

"Such fees must be paid by the owner or user before the issuance of a Certificate of Operation for the boiler inspected.

"(b) The Commissioner may fix and collect fees for administering examinations as provided by this Act to insurance companies' boiler inspectors.

"(c) The Commissioner may fix and collect fees for the inspection and certification as provided by this Act of safety valve repairmen or manufacturers.

"(d) With the advice of the Board of Boiler Rules, the Commissioner shall fix the fees provided by this Act in amounts that produce income sufficient to cover the expenses incurred in the administration of this Act. Fees collected by the Commissioner under the provisions of this Section of the Act shall be paid into the State Treasury to the credit of the General Revenue Fund."

SECTION 2. Section 11a, Chapter 436, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 5221c, Vernon's Texas Civil Statutes), is amended to read as follows:

Section 11. (e). The Commissioner may fix and collect fees for special inspections as referred to in Section 6 of this Act. Such fees, ~~[11a--The fee for a special inspection is--One--Hundred Twenty-five--Dollars--(\$125)--for--four--(4)--hours--or--less--and--One Hundred--Seventy-five--Dollars--(\$175)--for--a--full--day,--plus--travel--and--per--diem--based--upon--the--current--Appropriations--Act,--such]~~ travel, and per diem collected under the provisions of this Section of the Act shall be reappropriated to the credit of the Boiler Inspection Division."

SECTION 3. This Act takes effect September 1, 1979.

SECTION 4. The importance of this legislation and the

crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

* * * * *

Austin, Texas
March 15, 1979

Hon. William P. Hobby
President of the Senate

Sir:

We, your Committee on State Affairs, to which was referred S.B. No. 714, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

Moore, Chairman

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

March 12, 1979

Honorable William T. (Bill) Moore, Chairman
Committee on State Affairs
Senate Chamber
Austin, Texas

In Re: Senate Bill No. 714
By: Williams

Sir:

In response to your request pursuant to Senate Rule 94, Subsection (g), this office finds the fiscal implications of Senate Bill No. 714 (relating to the fees charged for the inspection of boilers) to be as follows:

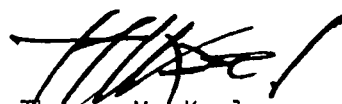
The bill would reappropriate to the Texas Department of Labor and Standards all special inspection fees collected by the Boiler Inspection Division for the purpose of conducting special inspections.

The probable fiscal implication of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Probable Revenue Gain and Cost to the General Revenue Fund</u>
1980	\$ 50,000
1981	55,000
1982	60,000
1983	60,000
1984	60,000

Similar annual costs and revenue gains would continue as long as the provisions of the bill are in effect.

No fiscal implication or additional cost to units of local government attributable to the bill, should it be enacted, is anticipated.


Thomas M. Keel
Director

Source: Department of Labor and Standards; LBB Staff

Committee Substitute

By

~~_____~~ *Cgg*

C.S.S.B. No. 714

A BILL TO BE ENTITLED

AN ACT

relating to inspection, examination, and certification fees charged under
the boiler inspection law; ~~Amending Sections 11 and 11a, Chapter 436,~~
~~Acts of the 45th Legislature, Regular Session,~~
~~1937, as amended (Article 5521c, Vernon's Texas Civil Statutes).~~
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 11, Chapter 436, Acts of the 45th Legislature,
Regular Session, 1937, as amended (Article 5221c, Vernon's Texas Civil
Statutes), is amended to read as follows:

11 Sec. 11. (a) The Commissioner may [shall] fix and collect fees
[as-provided-by-this-Section;] for the inspection of boilers. [The-fees
shall-be-as-follows:

11 [(1)--For-all-boilers-other-than-heating-boilers:
12 [(A)--Boilers-with-a-heating-surface-of-fifty-(50)-square-feet
13 (4.65-square-meter)-or-less;-----\$15-

14 [(B)--Boilers-with-a-heating-surface-greater-than-fifty-(50)-square
15 feet-(4.65-square-meter)-but-not-greater-than-one-hundred-(100)-square
16 feet-(9.29-square-meter);-----\$25-

17 [(C)--Boiler~~s~~-with-a-heating-surface-greater-than-one-hundred-(100)
18 square-feet-(9.29-square-meter)-but-not-greater-than-five-hundred-(500)
19 square-feet-(46.45-square-meter);-----\$30

20 [(D)--Boilers-with-a-heating-surface-greater-than-five-hundred-(500)
21 square-feet-(46.45-square-meter)-but-not-greater-than-one-thousand-five
22 hundred-(1,500)-square-feet-(139.35-square-meter);-----\$35

23 [(E)--Boilers-with-a-heating-surface-greater-than-one-thousand-five
24 hundred-(1,500)-square-feet-(139.35-square-meter);-----\$40

Type & proof 3/15/79

1 ~~" [(2)]~~ For heating boilers:

2 ~~" [(A)]~~ Boilers without a manhole:\$15

3 ~~" [(B)]~~ Boilers with a manhole:\$25]

4 (1) Such fees must be paid by the owner or user before the issuance of a
5 Certificate of Operation for the boiler inspected.

6 ~~" (b)~~ The Commissioner may fix and collect fees for administering
7 examinations as provided by this Act to insurance companies' boiler
8 inspectors.

9 ~~" (c)~~ The Commissioner may fix and collect fees for the inspection and
10 certification as provided by this Act of safety valve repairmen or manufacturers.

11 ~~" (d)~~ With the advice of the Board of Boiler Rules, the Commissioner shall
12 fix the fees provided by this Act in amounts that produce income sufficient
13 to cover the expenses incurred in the administration of this Act. Fees
14 collected by the Commissioner under the provisions of this Section of the Act
15 shall be paid into the State Treasury to the credit of the General Revenue Fund. //

16 SECTION 2. Section 11a, Chapter 436, Acts of the 45th Legislature,
17 Regular Session, 1937, as amended (Article 5221c, Vernon's Texas Civil
18 Statutes), is amended *and renumbered* to read as follows: //

19 ~~" (e)~~ *Section 11a.* ~~The fee for a special inspection is One Hundred Twenty-~~
20 ~~five Dollars-(\$125)-for-four-(4)-hours-or-less-and-One Hundred-Seventy-five~~
21 ~~Dollars-(\$175)-for-a-full-day,-plus-travel-and-per-diem-based-upon-the-current~~

22 ~~Appropriations Act.~~ *such* The Commissioner may fix and collect fees for ~~special~~
23 inspections as referred to in Section 6 of this Act. Such fees, ~~[such]~~

24 travel, and per diem collected under the provisions of this Section of the
25 Act shall be reappropriated to the credit of the Boiler Inspection Division. //

1 SECTION 3. This Act takes effect September 1, 1979.

2 SECTION 4. The importance of this legislation and the crowded condi-
3 tion of the calendars in both houses create an emergency and an imperative
4 public necessity that the constitutional rule requiring bills to be read on
5 three several days in each house be suspended, and this rule is hereby
6 suspended.

I certify that the attached is a true and correct copy of SB 714, which was received from the Senate on 3-19-79, and referred to the Committee on Employment Practices

Betty Murray
Chief Clerk of the House

March 19 1979 Engrossed
Patsy Spaw
Engrossing Clerk

By: Williams
(Hill of Dallas)

S.B. No. 714

A BILL TO BE ENTITLED

AN ACT

relating to inspection, examination, and certification fees charged under the boiler inspection law; amending Chapter 436, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 5221c, Vernon's Texas Civil Statutes), by amending Section 11 and amending Section 11a and giving it a new number: Subsection (e), Section 11.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 11, Chapter 436, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 5221c, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 11. (a) The Commissioner may ~~[shall]~~ fix and collect fees ~~[as-provided-by-this-Section]~~ for the inspection of boilers. ~~[The-fees-shall-be-as-follows:~~

"~~[(1)--For-all-boilers-other-than-heating-boilers:~~

"~~[(A)--Boilers-with-a-heating-surface-of--fifty--(50)--square feet--(4-65-square-meter)--or-less:-----\$15~~

"~~[(B)--Boilers-with-a-heating-surface-greater-than-fifty--(50) square--feet--(4-65--square-meter)--but-not-greater-than-one-hundred (100)--square-feet--(9-29-square-meter):-----\$25~~

"~~[(C)--Boiler-with-a-heating-surface-greater-than-one-hundred (100)--square-feet--(9-29-square-meter)--but--not--greater--than--five hundred--(500)--square-feet--(46-45-square-meter):-----\$30~~

"~~[(D)--Boilers--with--a--heating--surface--greater--than-five hundred--(500)--square-feet--(46-45-square-meter)--but-not-greater-than~~

one--thousand--five--hundred--(1,500)--square--feet--(139.35-square
meter)+-----\$35

"[(E)--Boilers--with--a--heating--surface--greater--than--one
thousand-five-hundred-(1,500)-square-feet-(139.35-square-meter)+---
-----\$40

"[(2)--For-heating-boilers+

"[(A)--Boilers-without-a-manhole+-----\$15

"[(B)--Boilers-with-a-manhole+-----\$25]

"Such fees must be paid by the owner or user before the
issuance of a Certificate of Operation for the boiler inspected.

"(b) The Commissioner may fix and collect fees for
administering examinations as provided by this Act to insurance
companies' boiler inspectors.

"(c) The Commissioner may fix and collect fees for the
inspection and certification as provided by this Act of safety
valve repairmen or manufacturers.

"(d) With the advice of the Board of Boiler Rules, the
Commissioner shall fix the fees provided by this Act in amounts
that produce income sufficient to cover the expenses incurred in
the administration of this Act. Fees collected by the Commissioner
under the provisions of this Section of the Act shall be paid into
the State Treasury to the credit of the General Revenue Fund."

SECTION 2. Section 11a, Chapter 436, Acts of the 45th
Legislature, Regular Session, 1937, as amended (Article 5221c,
Vernon's Texas Civil Statutes), is amended and renumbered to read
as follows:

1 "(e) The Commissioner may fix and collect fees for special
2 inspections as referred to in Section 6 of this Act. Such fees,
3 [Seetien-11a---The-fee-for-a--special--inspection--is--One--Hundred
4 Twenty-five--Dollars--(\$125)--for--four--(4)--hours-or-less-and-One
5 Hundred-Seventy-five-Dollars--(\$175)--for-a-full-day,-plus-travel-and
6 per-diem-based-upon-the-current-Appropriations-Act,-such] travel,
7 and per diem collected under the provisions of this Section of the
8 Act shall be reappropriated to the credit of the Boiler Inspection
9 Division."

10 SECTION 3. This Act takes effect September 1, 1979.

11 SECTION 4. The importance of this legislation and the
12 crowded condition of the calendars in both houses create an
13 emergency and an imperative public necessity that the
14 constitutional rule requiring bills to be read on three several
15 days in each house be suspended, and this rule is hereby suspended.

F

HOUSE COMMITTEE REPORT

1st. Printing

By: Williams
(Hill of Dallas)

S.B. No. 714

A BILL TO BE ENTITLED

AN ACT

relating to inspection, examination, and certification fees charged under the boiler inspection law; amending Chapter 436, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 5221c, Vernon's Texas Civil Statutes), by amending Section 11 and amending Section 11a and giving it a new number: Subsection (e), Section 11.

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SECTION 1. Section 11, Chapter 436, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 5221c, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 11. (a) The Commissioner may ~~[shall]~~ fix and collect fees ~~[as-provided-by-this-Section]~~ for the inspection of boilers. ~~[The-fees-shall-be-as-follows:-~~

~~"[(1)--For-all-boilers-other-than-heating-boilers:-~~

~~"[(A)--Boilers-with-a-heating-surface-of--fifty--(50)--square feet--(4.65-square-meter)--or-less--\$15~~

~~"[(B)--Boilers-with-a-heating-surface-greater-than-fifty--(50) square--feet--(4.65--square-meter)--but-not-greater-than-one-hundred (100)--square-feet--(9.29-square-meter)--\$25~~

~~"[(C)--Boiler-with-a-heating-surface-greater-than-one-hundred (100)--square-feet--(9.29-square-meter)--but--not--greater--than--five hundred--(500)--square-feet--(46.45-square-meter)--\$30~~

~~"[(D)--Boilers--with--a--heating--surface--greater--than-five hundred--(500)--square-feet--(46.45-square-meter)--but-not-greater-than~~

one--thousand--five--hundred--(1,500)--square--feet--(139.35-square
meter)+-----\$35

"[(E)--Boilers--with--a--heating--surface--greater--than--one
thousand-five-hundred-(1,500)-square-feet-(139.35-square-meter)+---
-----\$40

"[(2)--For-heating-boilers+

"[(A)--Boilers-without-a-manhole+-----\$15

"[(B)--Boilers-with-a-manhole+-----\$25]

"Such fees must be paid by the owner or user before the
issuance of a Certificate of Operation for the boiler inspected.

"(b) The Commissioner may fix and collect fees for
administering examinations as provided by this Act to insurance
companies' boiler inspectors.

"(c) The Commissioner may fix and collect fees for the
inspection and certification as provided by this Act of safety
valve repairmen or manufacturers.

"(d) With the advice of the Board of Boiler Rules, the
Commissioner shall fix the fees provided by this Act in amounts
that produce income sufficient to cover the expenses incurred in
the administration of this Act. Fees collected by the Commissioner
under the provisions of this Section of the Act shall be paid into
the State Treasury to the credit of the General Revenue Fund."

SECTION 2. Section 11a, Chapter 436, Acts of the 45th
Legislature, Regular Session, 1937, as amended (Article 5221c,
Vernon's Texas Civil Statutes), is amended and renumbered to read
as follows:

1 "(e) The Commissioner may fix and collect fees for special
2 inspections as referred to in Section 6 of this Act. Such fees,
3 [Section-11a:--The-fee-for-a--special--inspection--is--One--Hundred
4 Twenty-five--Dollars--(\$125)--for--four--(4)--hours-or-less-and-One
5 Hundred-Seventy-five-Dollars--(\$175)--for-a-full-day,--plus-travel-and
6 per-diem-based-upon-the-current-Appropriations-Act,--such] travel,
7 and per diem collected under the provisions of this Section of the
8 Act shall be reappropriated to the credit of the Boiler Inspection
9 Division."

10 SECTION 3. This Act takes effect September 1, 1979.

11 SECTION 4. The importance of this legislation and the
12 crowded condition of the calendars in both houses create an
13 emergency and an imperative public necessity that the
14 constitutional rule requiring bills to be read on three several
15 days in each house be suspended, and this rule is hereby suspended.

COMMITTEE REPORT

The Honorable Bill Clayton
Speaker of the House of Representatives

26 March 1979
(date)

Sir:

We, your COMMITTEE ON EMPLOYMENT PRACTICES, to whom was referred S.B. 714, have had the same under consideration and beg to report back with the recommendation that it (measure)

- (XX) do pass, without amendment.
- () do pass, with amendment(s).
- () do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested on March 23, 1979 and is attached as part of this report.
(date)

XXXXXX Fiscal Statement XXXXXXXX

The Committee recommends that this measure be placed on the (Do Not) Consent Calendar.

- This measure (X) proposes new law.
- (XX) amends existing law.

House Sponsor of Senate Measure Anita Hill

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Mankins, Ch.	X			
Blythe, V.C.	X			
Watson, V.C.A.	X			
Allred				X
DeLay	X			
Geistweidt	X			
Leonard	X			
Messer	X			
Moreno	X			

Total:
8 aye
0 nay
0 present, not voting
1 absent

Chairman
Reynolds
COMMITTEE COORDINATOR

EMPLOYMENT PRACTICES COMMITTEE

BILL ANALYSIS

S.B. 714

BY: Williams

Background:

The Boiler Inspection Law (Article 5221c, V.A.C.S.) requires the Commissioner of Labor and Standards to collect certain set fees for:

- (1) inspection and certification of boilers used in the state, and
- (2) special inspections by the Chief Inspector or his Deputy Inspectors.

The fees for (1) range from \$15-20 depending upon heating surface, and the fees for (2) range from \$125-175 depending upon time required to make the inspection. The fees must be paid by the owner/user of the boiler before a Certificate of Operation will be issued.

The law also provides that the Commissioner may certify inspectors employed by insurance companies, as "Authorized Inspectors."

Purpose:

The bill proposes four changes in the law, two regarding fees and two regarding fee assessment:

1. the special inspection fee is eliminated;
2. in addition to the boiler inspection fee, the Commissioner is authorized to set fees for
 - (a) examinations administered to insurance company "Authorized Inspectors" under the law, and
 - (b) certification of safety valve repairmen and manufacturers;
3. the assessment of fees would be optional at the Commissioner's discretion, rather than mandatory;
4. the Commissioner could set fees "in amounts that produce income sufficient to cover the expenses incurred in the administration of this Act."

Given the additional proposed fees, and the power to the Commissioner to determine what fee amount is reasonable and sufficient, the intent of this bill would be to encourage boiler inspections and safety, while making the Board administratively self-sufficient.

Section by Section Analysis:

- Section 1. Sec. 11 is amended by replacing "shall" with "may" in the sentence authorizing the Commissioner to collect inspection fees.

Bill Analysis

S.B. 714

The heating surface-set fee language is deleted entirely.

The potential new fees for examinations and certifications are included.

The Commissioner is required to fix fees that will produce a sufficient administrative income.

Section 2: The special inspection fee (Section 11a) is repealed.

Section 3. This Act to become effective September 1, 1979.

Section 4. Emergency Clause.

It is the committee's opinion that this bill does delegate rule-making authority to a state officer, agency, department or institution.

Specifically, the Commissioner would now have discretion to set administrative fees for the intent and purpose of making the Board of Boiler Rules financially self-supporting.

EMPLOYMENT PRACTICES COMMITTEE

SUMMARY OF COMMITTEE ACTION:

S.B. 714 was referred to the Employment Practices Committee on March 19, 1979, and was sent to the sub-committee on appropriative matters during a public hearing held on that date.

The sub-committee met in a formal meeting on March 21, 1979 to consider S.B. 714. The sub-committee voted to send S.B. 714 back to the full committee with the recommendation that it be sent to the House with no amendments and be printed.

The Employment Practices Committee met in a formal meeting on March 26, 1979 and accepted the sub-committee report.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

March 30, 1979

Honorable Jimmy Mankins, Chairman
Committee on Employment Practices
House of Representatives
Austin, Texas

In Re: Senate Bill No. 714,
as engrossed
By: Williams

Sir:

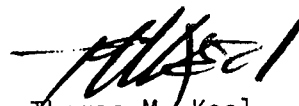
In response to your request pursuant to House Rule V, Section 28, this office finds the fiscal implications of Senate Bill No. 714, as engrossed (relating to inspection, examination and certification fees charged under the boiler inspection law), to be as follows:

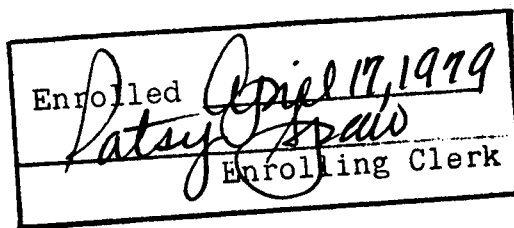
The probable revenue gain from implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Probable Revenue Gain To The General Revenue Fund</u>
1980	\$ 112,399
1981	127,470
1982	127,470
1983	127,470
1984	127,470

Similar annual revenue gains would continue as long as the provisions of the bill are in effect.

No fiscal implication or additional cost to units of local government attributable to the bill, should it be enacted as engrossed, is anticipated.


Thomas M. Keel
Director



S.B. No. 714

AN ACT

relating to inspection, examination, and certification fees charged under the boiler inspection law; amending Chapter 436, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 5221c, Vernon's Texas Civil Statutes), by amending Section 11 and amending Section 11a and giving it a new number: Subsection (e), Section 11.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 11, Chapter 436, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 5221c, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 11. (a) The Commissioner may [~~shall~~] fix and collect fees [~~as provided by this Section,~~] for the inspection of boilers. [~~The fees shall be as follows:~~

"[~~(1) -- For all boilers other than heating boilers:~~

"[~~(A) -- Boilers with a heating surface of -- fifty -- (50) -- square feet -- (4.65 square meter) -- or less: ----- \$15~~

"[~~(B) -- Boilers with a heating surface greater than fifty -- (50) square -- feet -- (4.65 -- square meter) -- but not greater than one hundred (100) -- square feet -- (9.29 square meter): ----- \$25~~

"[~~(C) -- Boiler with a heating surface greater than one hundred (100) -- square feet -- (9.29 square meter) -- but -- not -- greater -- than -- five hundred -- (500) -- square feet -- (46.45 square meter): ----- \$30~~

"[~~(D) -- Boilers -- with -- a -- heating -- surface -- greater -- than -- five hundred -- (500) -- square feet -- (46.45 square meter) -- but not greater than~~

one--thousand--five--hundred--(1,500)--square--feet--(139.35-square
meter)+-----\$35

"[(E)--Boilers--with--a--heating--surface--greater--than--one
thousand-five-hundred-(1,500)-square-feet-(139.35-square-meter)+---
-----\$40

"[(2)--For-heating-boilers+

"[(A)--Boilers-without-a-manhole+-----\$15

"[(B)--Boilers-with-a-manhole+-----\$25]

"Such fees must be paid by the owner or user before the
issuance of a Certificate of Operation for the boiler inspected.

"(b) The Commissioner may fix and collect fees for
administering examinations as provided by this Act to insurance
companies' boiler inspectors.

"(c) The Commissioner may fix and collect fees for the
inspection and certification as provided by this Act of safety
valve repairmen or manufacturers.

"(d) With the advice of the Board of Boiler Rules, the
Commissioner shall fix the fees provided by this Act in amounts
that produce income sufficient to cover the expenses incurred in
the administration of this Act. Fees collected by the Commissioner
under the provisions of this Section of the Act shall be paid into
the State Treasury to the credit of the General Revenue Fund."

SECTION 2. Section 11a, Chapter 436, Acts of the 45th
Legislature, Regular Session, 1937, as amended (Article 5221c,
Vernon's Texas Civil Statutes), is amended and renumbered to read
as follows:

1 "(e) The Commissioner may fix and collect fees for special
2 inspections as referred to in Section 6 of this Act. Such fees,
3 [Section-11a:--The-fee-for-a--special--inspection--is--One--Hundred
4 Twenty-five--Dollars--(\$125)--for--four--(4)--hours-or-less-and-One
5 Hundred-Seventy-five-Dollars--(\$175)--for-a-full-day,-plus-travel-and
6 per-diem-based-upon-the-current-Appropriations-Act,--such] travel,
7 and per diem collected under the provisions of this Section of the
8 Act shall be reappropriated to the credit of the Boiler Inspection
9 Division."

10 SECTION 3. This Act takes effect September 1, 1979.

11 SECTION 4. The importance of this legislation and the
12 crowded condition of the calendars in both houses create an
13 emergency and an imperative public necessity that the
14 constitutional rule requiring bills to be read on three several
15 days in each house be suspended, and this rule is hereby suspended.

R/12
S.B. No. 714

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 714 passed the Senate on March 19, 1979, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 714 passed the House on April 12, 1979, by a non-record vote.

Chief Clerk of the House

Approved:

Date

Governor

A BILL TO BE ENTITLED

AN ACT relating to the fees charged for the inspection of boilers; amending Section 11a, Chapter 436, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 5221c, Vernon's Texas Civil Statutes).

2-27-79 Filed with the Secretary of the Senate
FEB 28 1979 Read, referred to Committee on STATE AFFAIRS
Reported favorably.
MAR 15 1979 Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.
Ordered not printed.
MAR 19 1979 Senate and Constitutional Rules to permit consideration suspended by unanimous consent.
To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.
MAR 19 1979 Read second time and { ordered engrossed.
passed to third reading.
Caption ordered amended to conform to body of bill.
MAR 19 1979 Senate and Constitutional 3-Day Rules suspended by vote of 30 yeas, 0 nays to place bill on third reading and final passage.
MAR 19 1979 Read third time and passed by { ~~a viva voce vote.~~
30 yeas, 0 nays.

OTHER ACTION:

Betty King
Secretary of the Senate

March 19, 1979 Engrossed
March 19, 1979 Sent to HOUSE

Patsy Spaw
ENGROSSING CLERK

MAR 19 1979 Received from the Senate
MAR 20 1979 Read first time and referred to Committee on Employment Practices
MAR 30 1979 Reported favorably ~~amended~~; sent to Printer at 5:30 pm
MAR 30 1979 Printed and Distributed 6:33 pm
APR 2 1979 Sent to Committee on Calendars 10:10 am
APR 12 1979 Read Second time (~~amended~~): passed to third reading (~~failed~~)
by (Non-Record Vote) Record Vote of _____ yeas, _____ nays
~~Present, not voting.~~
Constitutional Rule requiring bills to be read on three several days suspended (~~failed to suspend~~) by a four-fifths vote of _____ yeas _____ nays _____ present not voting.
APR 12 1979 Read third time (~~amended~~); finally passed (~~failed~~) by a (Non-Record Vote) Record Vote of _____ yeas _____ nays
~~present not voting.~~
Caption ordered amended to conform to body of bill.
APR 17 1979 Returned to Senate.

APR 17 1979

RETURNED FROM HOUSE

Betty Murray
Chief Clerk of the House

10 FEB 10 PM 8 30

10 FEB 10 PM 8 30

EP

SA